

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Regents of the University of Minnesota,

Case No. 20-cv-0878 (WMW/LIB)

Plaintiff,

ORDER

v.

Bruce Caughey; B & C Dairy Farms, LLP;
and John Does 1-50,

Defendants.

This matter is before the Court on the parties' August 6, 2021 proposed consent judgment. (Dkt. 22.) This proposed consent judgment appears to represent a settlement of this intellectual property litigation and seeks an order from the Court approving of the settlement.

The settlement of a lawsuit between private parties ordinarily rests solely in the province of the parties and need not be approved by a district court. *See Gardiner v. A.H. Robins Co.*, 747 F.2d 1180, 1189 (8th Cir. 1984). “[F]ederal courts have neither the authority nor the resources to review and approve the settlement of every case brought in the federal court system.” *Caplan v. Fellheimer Eichen Braverman & Kaskey*, 68 F.3d 828, 835 (3d Cir. 1995). “Courts not only frown on interference by trial judges in parties’ settlement negotiations, but also renounce the practice of approving parties’ settlement agreements.” *Gardiner*, 747 F.2d at 1189 (citing *United States v. City of Miami*, 614 F.2d 1322, 1330 (5th Cir. 1980)). When the parties agree, they may settle their litigation

at any time; the court need not be involved. *Id.* It is the exceptional circumstance, not the general rule, in which the trial court takes on an active role in approving the adequacy of a settlement between private parties. *City of Miami*, 614 F.2d at 1331.

Here, the parties' proposed consent judgment memorializes an agreement among private parties resolving this litigation. The proposed consent judgment provides no legal authority as to why resolution of this case requires action from this Court and cannot instead be accomplished by the parties' private agreement. Because the Court is unable to discern any dispute that remains or any reason why the Court's approval of, or involvement in, this settlement is necessary, the Court declines to take any action with respect to the parties' proposed consent judgment.

ORDER

Based on the foregoing analysis, the Court takes no action on the proposed consent judgment. (Dkt. 22.)

Dated: September 9, 2021

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge